

## **CHAPTER 10. MUNICIPAL COURT.**

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## **CHAPTER 10. MUNICIPAL COURT.**

### **Section 10-1. Municipal Court - Creation.**

A municipal court in and for the City of Trinidad is hereby created and established, pursuant to and governed by the provisions of Title 13 of Article 10, C.R.S. 1973, as amended, and the City Charter.

### **Section 10-2. Municipal Court - Jurisdiction and powers.**

The Municipal Court shall have original jurisdiction of all cases arising under this Code and other ordinances of the City with full power to punish violators thereof by the imposition of such fines and penalties as are prescribed by ordinance or Court rule.

### **Section 10-3. Municipal Court - Rules of procedure.**

The Colorado Municipal Court Rules of Procedure promulgated by the Colorado Supreme Court, which took effect on January 1, 1989, together with all amendments contained therein, be and the same are hereby adopted by reference and said Rules are hereby enacted as the Municipal Court Rules of Procedure of the City of Trinidad.

### **Section 10-4. Sessions of Court - Regular and special.**

(1) There shall be regular sessions of the Court for the trial of cases. The Municipal Judge may hold a special session of the Court at any time.

(2) All sessions shall be open to the public. Where the nature of the case is such that it would be in the best interest of justice to exclude persons not directly connected with the proceeding, the Municipal Judge may order that the courtroom be cleared.

### **Section 10-5. Municipal Judges - Appointment; oath; salary; powers.**

(1) The Court shall be presided over by a Municipal Judge appointed for a term of two (2) years by resolution of the Council. Additional Judges may be appointed as may be needed for a term of two (2) years to transact the business of the Court.

(2) The compensation of the Judge shall be an annual salary in an amount set by the Council and shall be payable as other salaries to Municipal employees.

(3) Before entering the duties of his/her office, a Municipal Judge shall make an oath or affirmation that he/she will support the Constitution of the United States, the Constitution of the State, and the laws of the City and will faithfully perform the duties of his/her office.

(4) The Municipal Judge is empowered in his/her discretion to assess costs of Fifteen Dollars (\$15.00) against any Defendant who pleads Guilty or Nolo Contendere or who enters into a plea agreement or who after trial, is found guilty of an ordinance violation.

(5) In addition to other powers, a Municipal Judge shall have full power and authority to make and adopt rules and regulations for conducting the business of the Municipal Court, consistent with the Colorado Municipal Court Rules of Procedure promulgated by the Colorado Supreme Court.

**Section 10-6. Procedure for issuance of warrant.**

The application for and issuance of any search warrant which may be issued by the Municipal Judge to search for and seize property, or for inspection of private premises by an authorized inspector, shall be in accordance with those procedures set forth in the Colorado Municipal Court Rules of Procedure.

**Section 10-7. Court Clerk - Appointment; duties; salary; reports.**

(1) The Presiding Judge may appoint a person to serve as Clerk of the Court whose duties shall be those assigned by the Presiding Judge.

(2) The compensation of the Court Clerk shall be an annual salary in an amount set by the Council and shall be payable as other salaries to Municipal employees.

(3) The Court Clerk shall file monthly reports with the City Clerk of all moneys collected by him/her. All moneys received by and in the custody of the Court Clerk shall be paid daily to the Department of Finance.

**Section 10-8. Appropriations for Municipal Court.**

The City Council shall, on an annual basis, budget and appropriate such moneys as may be necessary for the proper operation of the Municipal Court.